

Retention and Classification Report

Agency: District Court (Fourth District : Juab County) (1679)

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Records Officer

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AGENCY: District Court (Fourth District : Juab County)

SERIES: 7057

3

TITLE: Adoption files

DATES: 1893-

ARRANGEMENT: Numerical by case number

DESCRIPTION:

RETENTION:

Retain 100 years

DISPOSITION:

Retain in agency custody.

RETENTION AND DISPOSITION AUTHORIZATION:

APPROVED: 07/1995

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 10 years after being microfilmed and then transfer to State Records Center. Retain in State Records Center for 95 years and then transfer to State Archives with authority to weed.

Microfilm master: Retain in State Records Center for 100 years or until adoptions made public and then transfer to State Archives with authority to weed.

Microfilm duplicate: Retain in Office permanently.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 7057

TITLE: Adoption files

(continued)

PRIMARY CLASSIFICATION:

Exempt Rule 4-202.02(11), CJA

AGENCY: District Court (Fourth District : Juab County)

SERIES: 13098

3

TITLE: Civil case files

DATES: 1896-

ARRANGEMENT: Numerical by case number.

DESCRIPTION:

These case files from the Fourth District Court in Juab County document the legal process and the administration of justice in conjunction with a civil proceeding for the determination of a controversy between parties wherein rights are enforced or protected, or wrongs are prevented or redressed. Included are all cases which cannot legally be called "criminal cases." Records and documents pertaining to a particular action are filed together by the court clerk, who is required by the Rules of Civil Procedure to file pleadings and other legal papers. Collectively they constitute the case file.

A civil action commences with the filing of a complaint with the court or by service to the defendant of a summons together with a copy of the complaint. A unique case number is assigned by the court when the papers are filed with the clerk. The case file for a particular action includes the original complaint or summons together with all legal papers subsequently filed in connection with the court proceeding through disposition or dismissal. Included are such documents as: depositions (or written testimony), demurrers (which are pleas for the dismissal of a lawsuit on the grounds that even if the statements of the opposition are true, they do not sustain the claim), interrogatories (a pretrial discovery tool in which written questions are propounded by one party and served to the adversary, who must answer by written replies made under oath), answers, counter claims, replies, motions, petitions, affidavits (written statements made under oath before an officer of the court, notary public, or other authorized person), stipulations (an agreement between attorneys that concerns business before a court and is designed to simplify, shorten, or settle litigation and save costs), exhibit documents (written contracts, bills, receipts, etc.), notices, objections, citations, sheriff's certificates, judge's orders and rulings, judge's instructions to the jury, judge's findings of fact and conclusions of law, final decrees, judgments, and executions (the process of carrying into effect a court's judgment, decree, or order).

Demurrers, pleas, and exceptions for insufficiency were abolished in 1953. Transcripts (an official and certified copy of what transpired in court or at an out-of-court deposition) and exhibits (items of real evidence) are not included in the case files.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 13098

TITLE: Civil case files

(continued)

Petitions for divorce are the predominant type of action in the civil case files. Suits to recover money are also common. These actions arise out of failure to honor promissory notes or other contract terms and non- payment of rent, lease payments, and court-ordered judgments. Attempts by plaintiffs to recover medical costs and lost income arising out of personal injury cases resulting from alleged carelessness or neglect appear frequently. These include traffic mishaps or accidents involving neighbors, employees, or business customers. Property cases include disputed ownership, damage, and contested improvements.

Legal actions include voluntary withdrawal or dissolution of corporations as well as petitions for a writ of habeas corpus (a court order requiring that a prisoner be brought before a judge to decide the legality of his detention or imprisonment). Court business (grand jury lists and reports, orders summoning persons to serve as jurors, various writs, etc.) have also been assigned civil case numbers.

According to statute, the district court has jurisdiction in all civil matters not excepted by the state constitution and not prohibited by law. During each calendar year the court is required to hold at least three terms at the county seat of each county within the district. The county clerk in each county serves as ex- officio clerk to the court and is responsible for maintaining the case files for actions arising in that county.

Responsibility for cases involving minimal monetary claims was reassigned to the newly created small claims departments of inferior courts in 1933. When inferior courts have original jurisdiction, the district court is limited to hearing appeals. Included are violations of city and town ordinances, as well as minor traffic laws, where a City Court or Justice of the Peace Court is established. Upon receipt of an appeal, the district court conducts a complete retrial of the case.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 13098

TITLE: Civil case files

(continued)

RETENTION:

Retain permanent

DISPOSITION:

Retain in agency custody.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 5 years and then transfer to State Records Center. Retain in State Records Center for 45 years and then transfer to State Archives with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

Administrative Historical Legal

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. They enforce or protect private rights and prevent or redress private wrongs. The value of the judge's decrees and final judgments to parties in an

AGENCY: District Court (Fourth District : Juab County)

SERIES: 13098

TITLE: Civil case files

(continued)

action may well extend beyond their immediate administrative use.

PRIMARY CLASSIFICATION:

Public

AGENCY: District Court (Fourth District : Juab County)

SERIES: 7712

3

TITLE: Criminal case files

DATES: 1892-

ARRANGEMENT: Numerical by case number.

ANNUAL ACCUMULATION: 1.00 cubic foot.

DESCRIPTION:

these are the court case files for all criminal cases that were tried in Juab County.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 07/1995

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 5 years and then transfer to State Records Center. Retain in State Records Center for 45 years and then transfer to State Archives with authority to weed provided no pending litigation..

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in Office permanently.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

APPRAISAL:

Historical

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. They enforce or protect private rights and prevent or redress private wrongs. The value of the judge's decrees and final judgments to parties in an action may well extend beyond their immediate administrative use.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 7712

TITLE: Criminal case files

(continued)

PRIMARY CLASSIFICATION:

Public

AGENCY: District Court (Fourth District : Juab County)

SERIES: 18185

4

TITLE: Criminal registers of actions

DATES: 1895-1985

ARRANGEMENT: Numerical by case number, thereunder chronological

ANNUAL ACCUMULATION:

DESCRIPTION:

This series documents the individual criminal cases tried by the Fourth District Court in Juab County. Actions taken in each case are recorded on separate documents and then filed together to become the case file. As these documents enter the case file they are recorded in the Criminal registers of Actions.

Registers function as a chronological list of the actions taken in each criminal cases. A register of actions can contain the following: attorney for plaintiff and defendant, name of the judge presiding over the case, petitions, complaint, summons, answers to summons, orders from the court, assignment of judges, exhibits, judgment, findings and conclusions, costs, decrees, requests by the attorneys for instructions to the jury, verdict, motions for cross complaints or new trials, amendments to previous answers, and disclaimers.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently after being microfilmed.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 18185

TITLE: Criminal registers of actions

(continued)

APPRAISAL:

Administrative Historical Legal

This disposition is based on the historical value of the Registers of Actions since they document individuals and topics useful to legal researchers and historians. This series also has administrative and legal value since it documents the functions of the District Court and continues to serve current and future administrative needs [UCA 79 (d) (6)].

PRIMARY CLASSIFICATION:

Public

AGENCY: District Court (Fourth District : Juab County)

SERIES: 85224

4

TITLE: Declarations of intention record books

DATES: i 1896-

ARRANGEMENT: Chronological. After 1906 also numerical by case number. Volume 3 is in reverse chronological and numerical order.

ANNUAL ACCUMULATION:

DESCRIPTION:

These volumes contain declarations of individuals' intentions to later become United States citizens. The first forms contain blanks only for the individual's name, sovereign, date, and signatures of the individual and the clerks witnessing his statement. Beginning in 1906, the courts were required to use more detailed forms in volumes furnished by the Bureau of Immigration and Naturalization.

The forms contain blanks for the name and location of the court; individual's name, occupation, personal description, birth date and place, and current residence; the location from which he emigrated and the vessel name; last foreign residence; name and title of ruler from whom he would be renouncing allegiance; and the port and date of arrival in the U.S.

By 1917, additional blanks were inserted for marital status, and if applicable, wife's name (spouse's name after 1922), birthplace, and residence. By the 1930s more blanks were added for sex, race, present nationality; marriage date and place; the number of children with their names, birth date, birthplace, and residence; any previous declaration of intention with number, location, and court; and his or her name at entry. In 1941 a sentence was added regarding any departures from the U.S., with a table in which to record dates of departure and return, the ports used, and the vessel name.

In 1952, the filing of a declaration of intention at least two years prior to applying for citizenship became an optional rather than a mandatory step toward naturalization. The series was begun at statehood when Juab County was moved to the 5th judicial district; it was moved to the 4th district in 1977.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 85224

TITLE: Declarations of intention record books

(continued)

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Microfilm duplicate: For records beginning in 1896 through 1951.
Retain in State Archives permanently with authority to weed.

Microfilm master: For records beginning in 1896 through 1951.
Retain in State Archives permanently with authority to weed.

APPRAISAL:

Historical

PRIMARY CLASSIFICATION:

Public

AGENCY: District Court (Fourth District : Juab County)

SERIES: 28388

3

TITLE: Domestic files

DATES: 1980 -

ARRANGEMENT: Numeric by Case Number

ANNUAL ACCUMULATION:

DESCRIPTION:

These files document the legal process and the administration of justice in domestic matters heard by the Fourth District Court (Juab County).

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series are authorized by the Administrative Office of the Courts.

APPROVED: 11/2013

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

All Formats: Retain in Office for 15 years and then transfer to State Records Center. Retain in State Records Center for 40 years and then transfer to State Archives with authority to weed.

APPRAISAL:

Historical Legal

These case files have ongoing evidentiary and research value.
These case files document legal rights.

PRIMARY CLASSIFICATION:

Public

AGENCY: District Court (Fourth District : Juab County)

SERIES: 28388

TITLE: Domestic files

(continued)

SECONDARY CLASSIFICATION(S):

Private.

Court rules 4-202.02(4)(B)(i)

AGENCY: District Court (Fourth District : Juab County)

SERIES: 17922

3

TITLE: Mental health commitment files

DATES: 1900-

ARRANGEMENT: Numerical by case number

ANNUAL ACCUMULATION:

DESCRIPTION:

RETENTION:

Retain 10 years

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series are authorized by the Administrative Office of the Courts.

APPROVED: 07/1995

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 5 years and then transfer to State Records Center. Retain in State Records Center permanently or until microfilmed and then destroy provided microfilm has passed inspection.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 85178

4

TITLE: Naturalization record books

DATES: i 1904-

ARRANGEMENT: Chronological. After 1906, also by volume and petition number.

ANNUAL ACCUMULATION:

DESCRIPTION:

These volumes contain documentation of the final steps of becoming a United States citizen. They include petitions for naturalization, certificates of citizenship, and accompanying documentation. The first preprinted forms consisted of an applicant's affidavit and witness affidavits, as well as a certificate of citizenship. The applicant's affidavit gave his name, birthplace, court and date of declaration of intention, sovereign, and date of admission to the United States. The affidavit included an oath of renunciation to his former sovereign and a declaration regarding character and health. The affidavits of two witnesses confirmed the applicant's statements and declared his worthiness to become a citizen. A copy of a certificate of citizenship form was then completed reiterating this information and ordering his admittance as a citizen.

After 1906, courts were required to use preprinted forms in volumes issued by the federal Bureau of Immigration and Naturalization. Petitions included the individual's name, residence, occupation, birth date and place; place from which emigrated, date, port of arrival, and vessel name; date and court where he declared his intention of becoming a citizen; wife's name, birthplace, and residence; and any previous petitions for citizenship. Later there were blanks to record his children's names, birth dates, birthplaces, and residences. Two citizen witnesses validated the individual's petition information and declared he was of good moral character. The printed oath of allegiance and court order admitting the applicant as a citizen are included. Later space was added for memoranda, including space to record the denial, not just the acceptance, of the petition.

In 1941, a sentence was added regarding any departures from the United States with a table in which to record dates of departure and return, ports used, and vessel name. Various corroborating documents had to be produced at the time of the hearing and are usually bound into the volumes along with the petitions. They include declarations of intention, certificates of military service, certificates of arrival, witness depositions, correspondence, and occasionally court orders revoking citizenship. The series was begun when Juab County was part of the 5th judicial district; the county was moved to the 4th district in 1977.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 85178

TITLE: Naturalization record books

(continued)

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

APPRAISAL:

Historical

PRIMARY CLASSIFICATION:

Public

AGENCY: District Court (Fourth District : Juab County)

SERIES: 17923

3

TITLE: Nephi small claims case files

DATES: 1966-

ARRANGEMENT: Numerical by case file number

ANNUAL ACCUMULATION:
DESCRIPTION:

RETENTION:

Retain 9 years

DISPOSITION:
Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:
These records are in Archives' permanent custody.

APPROVED: 07/1995

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 5 years and then transfer to State Records Center. Retain in State Records Center for 4 years and then destroy.

PRIMARY CLASSIFICATION:
Public

AGENCY: District Court (Fourth District : Juab County)

SERIES: 17924

3

TITLE: Nephi traffic case files

DATES: 1960-

ARRANGEMENT: Numerical by case file number

ANNUAL ACCUMULATION:

DESCRIPTION:

RETENTION:

Retain 7 years

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 07/1995

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 3 years and then transfer to State Records Center. Retain in State Records Center for 4 years and then destroy.

PRIMARY CLASSIFICATION:

Public

AGENCY: District Court (Fourth District : Juab County)

SERIES: 85179

4

TITLE: Preliminary citizenship examination lists

DATES: i 1930-

ARRANGEMENT: Reverse chronological and numerical order.

ANNUAL ACCUMULATION:

DESCRIPTION:

This volume contains forms recommending that petitions to become U.S. citizens be denied, or that they be granted, and the order of denial or admission to U.S. citizenship. Each form lists the petition number, the applicant's name, and a brief reason for the recommendation. The forms were completed as part of a preliminary examination of applicants, eliminating the necessity of interviewing each applicant and his witnesses at the final court hearing.

The series was begun when Juab County was in the 5th judicial district; it was moved to the 4th district in 1977.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

APPRAISAL:

Historical

AGENCY: District Court (Fourth District : Juab County)

SERIES: 17925

3

TITLE: Probate case files

DATES: 1896-

ARRANGEMENT: Numerical by case number.

ANNUAL ACCUMULATION:

DESCRIPTION:

RETENTION:

Retain 50 years

DISPOSITION:

Transfer to the State Archives with authority to weed.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 07/1995

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office for 5 years and then transfer to State Records Center. Retain in State Records Center for 45 years and then transfer to State Archives with authority to weed provided no pending litigation.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 17925

TITLE: Probate case files

(continued)

APPRAISAL:

Historical

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. Because they enforce or protect private rights and prevent or redress private wrongs, the value of the judge's decrees and final judgments to parties in the action may well extend indefinitely.

PRIMARY CLASSIFICATION:

Public

SECONDARY CLASSIFICATION(S):

Exempt.

Judicial records are public unless restricted under rules of civil procedure (UCA 63G-2-301-[1][f]). Included are custody proceedings, guardianship files, minutes, & probate records. Wills are generally

AGENCY: District Court (Fourth District : Juab County)

SERIES: 1160

4

TITLE: Probate record books

DATES: 1883-

ARRANGEMENT: Numerical by case number.

ANNUAL ACCUMULATION:

DESCRIPTION:

These record books detail the proceedings in estate and guardianship cases. Personal name change cases may also appear. For deceased persons the will, appraisals and inventories, and the settlements are recorded. For guardianships, the appointment of a guardian and frequently an account of some property are noted. Adoption records give the full order of adoption, often with statements from both the natural and adoptive parents or a social service agency detailing circumstances of the adoption. The county probate court was responsible for the proceedings of these cases until statehood (1896) at which time the probate court was dissolved and the district court assumed the responsibility.

RETENTION:

Retain Permanent. In Archives custody.

DISPOSITION:

Transfer to the State Archives permanently.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in State Archives permanently.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 1160

TITLE: Probate record books

(continued)

PRIMARY CLASSIFICATION:

Public

SECONDARY CLASSIFICATION(S):

Exempt.

UCA 78-30-15 (2008). As of 1 July 1999, adoptions become public after 100 years; until then they are sealed and only obtainable through the court. These books include occasional reference to adoptions.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 17829

3

TITLE: Probate records

DATES: 1908-1909

ARRANGEMENT:

ANNUAL ACCUMULATION:

DESCRIPTION:

reel 95087 includes marriages 1933-1941

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 13104

3

TITLE: Probate register

DATES: undated

ARRANGEMENT: none

ANNUAL ACCUMULATION:

DESCRIPTION:

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office until microfilmed and then transfer to State Archives with authority to weed.

Microfilm master: Retain in State Archives permanently with authority to weed.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

AGENCY: District Court (Fourth District : Juab County)

SERIES: 18198

3

TITLE: Probate register index

DATES: 1883-

ARRANGEMENT: chronological

ANNUAL ACCUMULATION:

DESCRIPTION:

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.